

## PROGRESSING WITH JURY

### An Important Ruling Upon Challenging Method.

Thus far the prosecution in the trial of Philip H. Naone for the murder of his wife has exercised three of its six, and the defense five of its twelve peremptory challenges of jurors. Judge De Bolt held court until 4:20 yesterday afternoon, so that the few names left in the box at the usual closing hour might be disposed of and a new special venire issued. This enables at least a partial return of the venire of 50 to be made at 10 o'clock this morning, hence there will be no interruption of the proceedings.

The prosecution challenged Jos. K. Clark, A. V. Gear and Edmund M. Norrie, and the defense Harry A. Juen, W. T. Paty, E. Henriques, J. P. Howatt and A. L. Lunggren.

In the examinations for cause a good many jurors were excused on account of personal acquaintance with either the defendant or his relatives, which they said would consciously or unconsciously influence them in considering a verdict. A large number were excused for scruples against capital punishment. Some challenges for cause were allowed on admissions of strong bias against the defense of insanity. M. J. Bissell was the most emphatic on this point, saying:

"It seems to me that the defense of insanity has become too common. In nearly every murder case it is the regular thing, and I think it ought not to be encouraged."

John W. Cathcart joined the counsel for the Territory yesterday. He took part in the argument on the question of alternate challenges which was raised. Messrs. Dunne and Thompson when asked if they had any authorities to support their contention that the challenges should alternate singly until the six for the prosecution were exhausted, which would give the defense power to throw out seven or a clear majority of the jurors passed for cause at the end of the empanelling, they quoted Judge De Bolt himself in the B. H. Wright case as ruling that way.

Judge De Bolt smilingly observed that the Supreme Court sometimes overruled itself. He did not recollect the Wright ruling clearly, but, while admitting the record as correct, did not think there was much argument on the occasion. "It was not very strenuous," he said.

"Mr. Cathcart's arguments are always strenuous," Mr. Dunne remarked. The record showed that Mr. Cathcart for the prosecution moved that when it exercised one challenge the defense should forthwith exercise two, that Mr. Dunne argued against the motion and that the court denied it.

Mr. Dunne, on the present occasion, relied on the Wright ruling and on the wording of the statute. He and Mr. Thompson were looking up other authorities, when Attorney General Andrews read a knockdown decision from Idaho which held that the method for which the defense contended would be a complete subversion of justice. Mr. Cathcart was ready to back this up with the Washington State law, which Judge De Bolt had already signified was to his mind decisive.

The defense gracefully took the ruling against itself and noted an exception thereto.

## HILO HAS THE SHAKES

(Continued from Page 1.)

plantation contingent in calling the meeting to order, it is claimed, before the arrival of the members from Naalehu. Upon the arrival of two bus loads of plantation stalwarts all nominations had been made and the meeting adjourned. There is considerable indignation expressed among the Republicans from Naalehu, and last night another meeting was held at the latter point, when a second list of delegates was named. The feeling has become bitter over the fight, which will be fought out in the Hilo convention. The nominations by the Waiohine faction are Dr. L. S. Thompson, Judge J. H. Waiipulani and Y. K. Kaapa.

### SALARIES OF TEACHERS.

The Republican club of the fourth precinct, Hilo, passed the following resolutions:

"That the Governor and Legislature be recommended to make liberal appropriations for the Department of Education; that teachers be given salaries sufficient to allow them a decent livelihood; and that the salaries be restored to their former basis and raised to such figures as will insure to the Territory the highest efficiency along educational lines; and

"That the Governor and Legislature be recommended to make liberal appropriations for the erection and equipment of a High School building in Hilo, and the securing of competent and efficient teachers and professors for High School work."

### TENNIS TOURNAMENT.

With the finals in men's doubles on Saturday the club tournament of the Tennis Club came to an end. In the semi-finals Balding and Hapal won from Elliot and Vickers in 6-4 and 10-8. In the finals Balding and Hapal won from Baldwin and Mellor in 7-5, 7-5

and 6-1. The result of the tournament is as follows: Ladies' singles, Mrs. Elliot winner; men's singles, George Hapal winner; mixed doubles, Mrs. Elliot and George Hapal winners; men's doubles, Balding and George Hapal. There is a movement on foot to send George Hapal and J. Metcalfe to Honolulu by next Kinau to compete in the open tournament.

### VARIOUS ITEMS.

The masquerade given this Friday evening by Mrs. Chr. Castendyk and Miss Mary Shipman in honor of Miss Emilie S. Peck and her fiancé, Dr. O. E. Wall, promises to be the leading social event of the season.

Waiohine society were entertained at cards and dancing last Saturday night by Mrs. A. H. McCarthy. The occasion was in the nature of a farewell to Dr. L. S. Thompson, who leaves shortly for a six month's tour of the States, Mexico and Central America.

There will be contests in some of the Republican county primaries next week.

Wednesday last week a Galatian woman in Oloa with two children received news of the killing by accident of her husband at the coast, and the shock was so great that she died the same day. Her children, one a sweet girl of four years, and the other a little boy of two years, are now at the home of Dr. Russell. Dr. Russell says that the children are of good parentage and that he will turn them over to anyone desirous of adopting them.

At the annual election of the Hilo & Kohala Railway held in Honolulu last week, Mr. Peck and his associate officers refused to accept re-election, and the following were elected as the officers of the Company: J. F. Brown, president; Dr. Cooper, vice president; J. C. Jones, secretary and treasurer; Dr. Wessen, auditor; and a board of directors consisting of A. M. Brown, J. A. Gilman, H. B. Gehr, W. G. Ashley and J. S. Walker.

Isidor Garala, the Porto Rican reported last week as having been stabbed by Jose Maria Oliveira, died from the result of the wounds inflicted. The murderer was arraigned before Judge Hapal on Friday and has been committed to the grand jury.

Mrs. M. Farrell, accompanied by her daughter and two sons, was a departing passenger from Hilo. Mrs. Farrell has been in charge of the Rainbow for the past two months. She leaves for the States.

Mrs. Post and Mrs. Mabel Nagle of Washington, D. C., after a visit of several days at the Volcano House, returned to Honolulu, from where they will go to Japan. They will spend one year touring the Mikado's empire.

Dr. J. J. Grace has resumed the practice of medicine.

John Ross took his wife to Honolulu by the last Kinau, hoping that a change of scene and climate might benefit her in mind and health.

## HILO REPUBLICANS LOOK TO WOODS

For the first time since November 8th last the Democrats of Hawaii are having a chance to smile at the expense of the Republicans, hence their smile is both broad and expansive.

Yesterday the following wireless was received from Hilo by the secretary of the Republican League here:

"North and South Hilo too much for one physician, distance forty miles, should be divided, speak Palmer Woods."

That was all, but the message came from the Republican organization on the big island.

Just how the Republican senators from Hawaii felt when they were informed that their constituents look to the only Democrat in the Senate when they want anything done, is a matter yet to be recorded.

### LITTLE CLASSICS.

He thought as a sage, though he felt as a man.—Beattie.

Though authority be a stubborn bear, it is often led by the nose with gold.—Shakespeare.

Young men think old men fools; but old men know young men are fools.—George Chapman.

The diseases of the mind are more destructive and in greater number than those of the body.—Cicero.

Of the animals which fly in the air, walk on the ground, or swim in the sea, the most foolish is man.—Boileau.

My living in Yorkshire was so far out of the way that it was actually 12 miles from a lemon.—Sydney Smith.

Those passionate persons who carry their hearts in their mouths are rather to be pitied than feared. Their threatenings serve no other purpose than to forearm him that is threatened.—Fuller.

### GIVE CHAMBERLAIN'S PAIN BALM A TRIAL.

No other liniment affords such prompt relief from rheumatic pains. No other is so valuable for deep seated pains like lame back and pains in the chest. Give this liniment a trial and become acquainted with its remarkable qualities and you will never wish to be without it. For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

Yesterday the entrance examinations for the naval cadetship at Annapolis began at the High School under the direction of the civil service board. King, the Delegate's choice, and Ashford and Desha, competing for alternate, are the candidates.

## HOUSE WORKS ALL DAY AND PASSES ONE BILL

### Measure to Pay Unpaid Claims Goes Through and Then the Loan Bill is Taken Up.

The Senate met yesterday apparently from force of habit, because there was nothing on the order of the day and nothing to do, and adjourned at the end of a session nine minutes long. An invitation to visit Kapiolani Park today and take luncheon was received, and on motion of Senator Woods was accepted with the understanding that the Senators would go if they were not too busy. It is expected, however, that the salaries and current expense bills, properly trimmed, will be reported today—and, if they are, that will give the Senate work enough to do.

The House took up on third reading and passed the bill making provision for the payment of unpaid bills, and then spent the balance of the day considering the Loan Bill in committee of the whole. And upon this the old tendency to talk developed to such a marked extent that little material progress was made. Indeed, if the House expects to get through its work next week, which is now the deferred hope of the leaders, it will have to pick up its heels a bit.

### THE HOUSE.

Unmindful of the sloth of the honorable gentlemen upstairs, the House of Representatives put in a hard day's work yesterday.

At the morning session it tackled Senate Bill No. 6, to make appropriation for unpaid bills, which was formally read through for the third time. Then came a fight over the insertion of a number of new items, but nearly all of them carried. At the afternoon session of the House, Senate Bill No. 3, the loan appropriation bill, was considered on second reading in Committee of the Whole and the customary row between Oahu and the other islands was in order once more.

### BREWER'S WHARF AGAIN.

In the consideration of the measure to make appropriation for unpaid bills the first amendment was introduced by Waterhouse, who moved to insert an item of \$4267 for settlement in full of the claims of the American-Hawaiian Engineering and Construction Company in regard to the cancelled Brewer's wharf contract. He explained that the amount had been stated by Supt. Holloway to be a fair amount for loss by deterioration in material and in interest.

Holstein moved to table the item, but the motion failed and the amount was included.

Later in the day Quinn, who had been absent when the vote was taken, moved for a reconsideration. The motion failed to get sufficient support.

Another new item was inserted on Lewis's suggestion. It was for \$17 for repaying Chow Lee the amount of a tax paid by him twice.

### MAUI GETS MONEY.

There was a fight over a number of different items introduced by Coelho to get payment for debts contracted by the defunct county of Maui created under the old act.

The new items proposed by him were disposed of as follows:

For police department, Maui, incidentals, \$29.60; support of prisoners, \$97.18. Passed.

For road department, Wailuku, \$36.30. Passed.

For pay of police, \$57. Passed.

For pay of county officers and incidentals, \$1943.56. Lost.

For pay of police, Maui and Molokai, \$710.15. Passed.

For pay of deputy sheriffs \$55.55. Passed.

For material supplied the county of

Maui, \$342.85. Passed.

With these amendments the bill passed third reading by a vote of 18 to 7. House Joint Resolution No. 2, regarding the construction of Puuhale-Kihel road, was read a second time.

Senate Bill No. 3 was up for second reading and the House went into Committee of the Whole with Nakuina in the chair.

### GENERAL APPROPRIATIONS.

The first section, giving the total amount of appropriations, was deferred and the trouble began over the second section, which provided for "General appropriations, all islands," as follows:

Government building, Hilo	\$ 25,000
Court house and jail N. Kona	8,000
Court house and jail, Lihue	10,000
Government buildings, Maui	15,000
Extension of wharf system, Honolulu	300,000
Educational buildings, Oahu	15,000
Hilo high school, Hawaii	30,000
Educational buildings, Hawaii	15,000
Educational buildings, Maui	13,000
Educational buildings, Kauai	15,000
Water rights, Lahaina	30,000
Honolulu water works	200,000
Koloa water works	5,000
Waimea water works	10,000
Total	\$681,000

### OAHU'S SLICE.

Haila led the attack with a motion to apportion the \$681,000 thus:

Oahu	\$390,000
Other islands	291,000

He made a long speech, deprecating Oahu's alleged raid on the loan fund. He found a supporter in Lewis, who saw an attempt on Oahu's part to take \$515,000 and leave the other islands only \$166,000.

Kaleiopu and Cox opposed the amendment of Haila and Lewis produced figures to show Oahu's percentage of taxation justified her share in the public expenditure. He especially defended the item for the extension of the Honolulu wharf system.

Coelho suggested that the whole House had become tangled in a maze of figures and suggested deferring until today.

The suggestion was adopted and the House rose shortly after 4 o'clock.

During the day the Senate notified the House that as it did not concur in the amendments made in the Senate Bill No. 5, it had appointed Senators McCandless, Dickey and Kalama to the conference committee. Haila, Long and Lewis were appointed from the House.

An invitation from the Park Commissioners to visit Kapiolani Park and have luncheon on Friday was received and accepted.

Coelho introduced a resolution for the payment of \$437 for the refunding

## CORRESPONDENT TELLS OF COMING CHINESE UPHEAVAL

Heralding an uprising of the revolutionary forces in China, W. C. Bunner, an old-time newspaper man of San Francisco, passed through Honolulu on Tuesday on the steamship Kores, en route to China.

Mr. Bunner stated that he was attached to the Examiner staff, with special reference to the disaffected Chinese of the Empire. He said that he had been sent to get in touch with the revolutionists, in preparation for any uprising that might take place when the Nippon-Russo war is over. He stated that there is at present an unusual state of affairs among those generally opposed to the present ruling dynasty. Dr. Sun Yat Sen, the Honolulu Chinese who was educated at Iolani College, this city, heads the revolutionary forces, or those who would upset the dynasty and put a new Emperor, or even a president, on the throne. Leung Chi Tse heads the Bow Weng movement, which supports the Emperor as against the Empress Dowager, and then there are the guerilla bands, arrayed both against the imperial troops and the forgers, or the Boxers, to be plain.

To secure the co-operation of all three classes is the great task which some Chinese has before him. Mr. Bunner says that Ho Ying, although that, he says, is not his true name, is the man who might be chosen to lead the armed hosts to battle. Ho Ying, says Bunner, was in South Africa during the Boer war, and learned the ways of the Boers. The Boer tactics he proposes to make use of in drilling his troops.

"There is a good deal of talk about the Japanese Empire Japaneseing the Chinese Empire," said Mr. Bunner. "That is no doubt true, but when a Chinaman learns anything he beats the Japanese in the end, and the Japaneseing of China means that in time China will swallow Japan."

of license taxes illegally collected from Chinese merchants in 1900. It was referred to the Finance Committee.

### THE NEW FRENCH REMEDY, THERAPION.

This successful and popular remedy, used in the Continental Hospitals by Ricord, Boettcher, Robert, Velpeau, and others, combines all the desiderata to be sought in a medicine of the kind, and surpasses everything hitherto employed.

THERAPION NO. 1 maintains its world-renowned and well-merited reputation for derangements of the kidneys, pains in the back, and kindred ailments, affording prompt relief where other well-tried remedies have been powerless.

THERAPION NO. 2 for impurity of the blood, scurvy, pimples, spots, blotches, pale and swelling of joints, gout, rheumatism, and all diseases for which it has been too much a fashion to employ mercury, sarsaparilla, etc., is the destruction of sufferer's teeth and ruin of health. This preparation purifies the whole system through the blood, and thoroughly eliminates all poisonous matter from the body.

THERAPION NO. 3 for exhaustion, sleeplessness, and all distressing consequences of dissipation, worry, overwork, etc. It possesses surprising power in restoring strength and vigor to those suffering from the prostrating influence of long residence in hot, unhealthy climates.

THERAPION is sold by the principal Chemists and Merchants throughout the world. Price in England, 2s. 6d. and 4s. 6d. In order, state which number is required, and observe that the word "Therapion" appears on the British Government Stamp (in white letters on a red ground) affixed to every genuine package by order of His Majesty's Hon. Commissioners, and without which it is a forgery.

## SHIOZAWA EXPLAINS

### Gives His Side of the Japanese Row.

Editor Shiozawa of the Hawaii Shinpo is considerably amused at an article in the Evening Bulletin accusing him of being at the bottom of the present attack on Consul-General Saito. When asked concerning it last night he said:

"The article is ridiculous. If it was translated into Japanese and published in Hawaii Shinpo all the 70,000 Japanese in Hawaii would laugh. I am of the opinion that the supposed Japanese interviewed by the Bulletin is really a white man. The article suggests that I want to be consul. This shows how ignorant the writer is. The consularship is a business office, not a diplomatic post, and the man who holds it must have special preparation for the work and must go through a certain course of examinations and subordinate positions before he can become a consul. A minister or an ambassador might be picked from the plain people without going through such a special preparation but not a consul." Then with a hearty laugh Mr. Shiozawa said, "I have a show to be a millionaire or a minister, but a consul—never."

"As to the accusation that I wanted the presidency of the Central Japanese League, it is absolutely false. I was one of the men who urged that the Consul-General take the position. He was not elected, he was requested to take the position and I was the one who most strongly urged him for the place.

"I am accused of luring Shimada on to attack the consul. This is a falsehood. I never met or saw Shimada. I do not know him now, as I understand that he is a professional lecturer who has been charging money for his lectures on the war. Now that business is dull he probably thought that if he could get the people stirred up they would come and hear him to his financial gain. There was a fee of 25c. charged for his address the other night.

"This question against the immigration companies, the Kei Hin bank and the Consul-General has been in the air for the past two years. Hawaii Shinpo took it up but as we wish to be very conservative we did not make such a sensation of it as some of the other Japanese papers did. We wished to find a remedy in a peaceful way. I was always a personal friend of the consul and did not wish personalities to enter into the controversy.

"About a month and a half ago we decided that this thing was going too far and so we began to expose the actions of the immigration companies and the Kei Hin bank. The Consul's organ, the Yamato Shimbun, accused me of writing the article about the meeting in yesterday's Advertiser. You know how false that is.

"Reporters came to me the next day and asked whether the accusations Shimada made were true. I told them that I considered that this was an affair for the Japanese people alone but that if they wanted information they should go to the consul. I supposed that he, in his official position would say that he had nothing to give out so that this row might be kept among our own people alone. Instead he said that the agitation was the work of a 'few soreheads.'

"Yesterday and today every Japanese merchant and professional man with the exception of a few connected with the immigration companies or bank signed a paper demanding three things: (1) Removal of the Consul-General, (2) Driving out of immigration companies, (3) Closing of the Kei Hin bank. They call themselves the 'Reform Party.' Does that look as if the movement was backed by 'only a few soreheads'?"

Yesterday the Territorial grand jury investigated a charge of keeping a disorderly house and another of libel, the latter concerning an article in a Japanese paper.

## INSURANCE MONEY WON

### Case from the Sanitary Fires—Court Notes.

A unanimous opinion of the Supreme Court affirms judgment in the sum of \$3000 for Lee Ahlo against Royal Insurance Co. The case was taken up on exceptions from the First Circuit Court, where it had been tried without a jury. Justice Hartwell is author of the opinion, Chief Justice Frear and Circuit Judge Lindsay having sat with him. Castle & Withington and W. A. Whiting for plaintiff; A. G. M. Robertson for defendant.

The former cases of Akwai and Kwong Lee Yuen are cited as governing. It is found that the plaintiff's buildings had been destroyed by fire pursuant to an order of the Board of Health based on the alleged fact that they were infected. The plaintiff's evidence of value showed the original cost in 1878 and 1879, also their rental value, and generally described their material, repairs and condition. The proximate cause of the loss was the fire; the buildings were not valueless because condemned to be burned. In the meaning of the policy the intrinsic value of the buildings was insured. The evidence of value was sufficient in law.

### COURT NOTES.

Judge Lindsay appointed Sophia Rodriguez Gaspar guardian of Manuel, Maria, Elizabeth, Peter and Antone Gaspar, minors, under a bond of \$250.

Notice to admit facts and documents has been given by plaintiff to defendants in J. O. Carter's ejectment suit against Kookoo Kalkalahaole et al.

A discontinuance of the foreclosure suit of Bank of Hawaii vs. John K. Prendergast and others has been filed. The ejectment case of Kaalona vs. Kaauia may go to the jury before Judge Lindsay today. The defense is adverse possession.

## DAUGHTERS OF THE REVOLUTION

(Continued from page 1.)

some provision for it in his will. The nation has paid no attention to his wishes, while the religious denominations have seen the advantages of building prominent institutions here. The Roman Catholics, with their usual far sight, have secured a large tract of land and lead all other denominations in the extent of their progress. The Columbian University has lately changed its name, by authority of Congress, to that of the George Washington University. An attempt was made to get Mr. Carnegie to give the name of Washington to his new institution founded here, for which he has granted \$10,000,000. But he did not care to submerge the name of Carnegie. The "George Washington Memorial" has been organized for some time for the purpose of executing the wishes of the great patriot. As there appear to be enough institutions of learning here, this association has made arrangements with the George Washington University by which the association will erect on the spacious grounds of the university a grand and imposing memorial hall. This, under the circumstances, will be the best practical way of fulfilling the wishes of the great Father of his Country. The cost will be about \$500,000. A part of the money has been raised. The president of the association is Mrs. Archibald Hopkins of this city. Her grandfather, Edward Everett, of Massachusetts, though an old and feeble man, devoted several years of his life to lecturing through the country and in this way raised about \$70,000 for the purchase of Mount Vernon when it was on the eve of being sold at auction to the highest bidder. This he did for the benefit of the Mount Vernon Association of Women, who had undertaken to purchase and preserve the home of Washington. Now, fifty years later, his granddaughter has undertaken the work of raising the funds for the building of this splendid memorial. She appeals to all the world for aid. At a meeting recently held in the house of Mrs. Westinghouse in this city, before an audience of a hundred persons, Mr. Justice Brewer of the Supreme Court, gave an effective talk on the subject. It goes almost without saying that the work will be done.

W. N. ARMSTRONG.

### THE SYMBOLISM OF COLORS.

Red, for courage and intense love. Its emblem the ruby.

White, for youth, freshness and innocence; represented by pearls and diamonds.

Yellow—the topaz—wisdom and glory, but jealousy, too, except for November-born.

Violet means dignity, and the amethyst is highly prized as an amulet to keep friendship and love.

Green symbolizes hope, youth, and is represented by the emerald, which is fabled to change color if the love changes.

Blue means constancy, truth and friendship, and is represented by the sapphire, although the "forget-me-not" stone, the turquoise, and even turquoise-matrix, have claims for recognition.—Ladies' Home Journal.